

**UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND**

**DEBORAH LAUFER, Individually**

**Plaintiff,**

**v.**

**NARANDA HOTELS, LLC,  
a Maryland Corporation**

**Defendants.**

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**Civil No.: 1:20-cv-02136**

**DEFENDANT'S MOTION TO DISMISS**

Defendant Narander Hotels, LLC, through undersigned counsel, pursuant to Fed. R. Civ. Proc. 12(b)(1) and (6), hereby moves to dismiss the Plaintiff Deborah Laufer's Complaint on grounds that the Court lacks subject matter jurisdiction over the claims asserted therein, and the Complaint fails to state a claim against the Defendant upon which relief can be granted.

1. The Complaint seeks declaratory and injunctive relief, reimbursement for attorneys' fees, litigation expenses and costs as the result of Defendant's alleged violation of the Americans With Disabilities Act, 42 U. S. C., sections 12181, *et seq.* Plaintiff, a resident of Pasco County, Florida, alleges that Defendant violated the Act, and 28 CFR 36.302(e), because the materials posted on third party websites operated by booking.com, trip.com, priceline.com, agoda.com, expedia.com, and orbitz.com did not provide "sufficient information" regarding handicapped accessibility at the Defendant's hotel, Sleep Inn & Suites Downtown Inner Harbor Baltimore, and did not identify or allow reservation of handicapped accessible rooms at the hotel.

2. The Complaint does not allege that the Defendant's hotel's website fails to provide sufficient accessibility information or fails to allow reservation of handicapped accessible rooms. Plaintiff does not allege that she has ever attempted to book a room at Defendant's hotel, does

not allege that she has ever travelled to the Baltimore metropolitan area, and does not allege that she intends to ever travel to the Baltimore metropolitan area in the future.

3. For the reasons set forth in the Memorandum in Support of this Motion, Plaintiff has not alleged sufficient facts to demonstrate that she has constitutional standing to bring this action. Plaintiff has not alleged facts demonstrating that she has or will suffer an injury in fact. Plaintiff has not alleged an injury that is concrete, particularized and real, not abstract or hypothetical. There are insufficient facts alleged in the Complaint to show that Plaintiff has, and will in the future suffer a harm that is individual to her.

4. For the reasons set forth in the Memorandum in Support of this Motion, in the absence of allegations that Plaintiff has and will suffer an injury in fact sufficient to satisfy constitutional standing requirements, this Court lacks subject matter jurisdiction over the claims asserted in the Complaint.

5. For the reasons set forth in the Memorandum in Support of this Motion, the Complaint fails to state a claim upon which relief can be granted because it fails to allege facts demonstrating that Defendant violated the Americans With Disabilities Act and the related Federal regulations.

WHEREFORE, Defendant Narander Hotels, LLC requests that this Court issue an Order:

- a) Granting Defendant Narander, LLC's Motion to Dismiss Plaintiff's Complaint without leave to amend;
- b) Entering judgment in favor of Defendant for costs; and
- c) Providing such other relief as the Court deems appropriate.

DECARO, DORAN, SICILIANO,  
GALLAGHER & DeBLASIS, LLP

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this **29th** day of **September, 2020**, Defendant's Motion to Dismiss was electronically filed and served on counsel of record for Plaintiff, and a copy emailed and sent via first class U.S. Mail, postage prepaid to:

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